

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ELIEZER PEREZ, : **CIVIL ACTION**
: **NO. 02-559**
v. :
: **RAYMOND J. SOBINA, et al.** :

ORDER

AND NOW, this 25th day of January, 2007, upon careful and independent consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Supplemental Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, and related filings, IT IS ORDERED that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Petitioner's Supplemental Objection to Magistrate Judge Report and Recommendation is **OVERRULED**;
3. The Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 is **DENIED**; and
4. There is no basis for the issuance of a certificate of appealability.

Judgment is entered on behalf of Defendant and against Plaintiff. The Clerk of Court shall close this matter for statistical purposes.

IT IS SO ORDERED.

/s Paul S. Diamond, J.

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